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News Release

FOR IMMEDIATE RELEASE
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Van driver in Cottonwood bus crash charged with identity theft, falsely representing Social Security number

The individual charged with four counts of criminal vehicular homicide in the Cottonwood school bus crash now faces four federal charges.

Guatemalan citizen Olga Marina Franco del Cid, 24, Minneota, was charged today with two counts of aggravated identity theft and two counts of false representation of a Social Security number.

The complaint alleges that on May 13, 2007, and on Jan. 14, 2008, Franco del Cid did willfully, knowingly and with the intent to deceive falsely represent a social security account number to be her Social Security account number for the purpose of obtaining employment.

The complaint also alleges that on May 13, 2007, and on Jan. 14, 2008, Franco del Cid did knowingly use, without lawful authority, a means of identification of another person during and in relation to the false representation of a Social Security number.

On Feb. 19, 2008, four students were killed when their school bus was hit by a van on Minnesota Highway 23 near Cottonwood in Lyon County. According to a United States Immigration and Customs Enforcement (ICE) affidavit, the driver of the van identified herself to authorities as Alianiss Nunez-Morales and provided a birth date and Social Security number.

In an attempt to verify Nunez-Morales's identity, investigators discovered that the Social Security number was issued in Puerto Rico, and learned that Minnesota Department of Motor Vehicle records indicated Nunez-Morales did not have a Minnesota driver's license, only a state identification card, which was issued on Feb. 1, 2006.

ICE investigators located Nunez-Morales in Connecticut, who said her purse and identification documents were stolen more than six months ago while she was living in Puerto Rico. Investigators also spoke with two of Nunez-Morales's relatives in Puerto Rico. They both said the photo of the van driver, which was obtained from the state identification card bearing

Nunez-Morales's biographical information, was not their relative.

The affidavit stated that according to the application submitted to the Minnesota DMV, the applicant allegedly used Nunez-Morales's Social Security number to obtain the state identification card.

Franco del Cid also allegedly filled out I-9 forms at two Minnesota companies where she was employed using Nunez-Morales's information. On both forms, Franco del Cid allegedly marked that she was a U.S. citizen.

Agents executed a search warrant on Feb. 22 at the defendant's Minnesota residence and recovered a Guatemalan birth certificate and certified Guatemalan identification card for Franco del Cid. They also recovered numerous correspondences to and from Guatemala in the names of Franco del Cid's parents, and numerous Western Union receipts showing money transfers to her mother in Guatemala.

A second defendant, Francisco Sangabriel-Mendoza, 29, Minnesota, was also charged today with two counts of aggravated identity theft and two counts of false representation of a Social Security number. Sangabriel-Mendoza was the registered owner of the van involved in the crash.

His complaint alleges that on Oct. 15, 2007, and on Jan. 14, 2008, Sangabriel-Mendoza did willfully, knowingly and with the intent to deceive falsely represent a Social Security account number to be his Social Security account number for the purpose of obtaining employment.

The complaint also alleges that on Oct. 15, 2007, and on Jan. 14, 2008, he did knowingly use, without lawful authority, a means of identification of another person during and in relation to the false representation of a Social Security number.

A warrant has been issued for Sangabriel-Mendoza's arrest. If you have any information regarding his whereabouts, contact ICE's toll-free hotline at 1-866-347-2423, which is staffed 24 hours every day.

According to an ICE affidavit, Sangabriel-Mendoza is a Mexican citizen who is illegally in the U.S. Sangabriel-Mendoza had married a U.S. citizen on April 14, 2004, and immigration records indicate that he departed the country and re-entered legally so that he could file for adjustment of status. His wife filed the required petition, but later withdrew it because the couple was divorcing.

On Sept. 19, 2007, Sangabriel-Mendoza was notified that his appeal on his petition to adjust to a legal permanent resident had been denied due to the divorce, and was advised that he had 30 days to leave the country. On Dec. 17, 2007, Sangabriel-Mendoza was administratively charged with violating U.S. immigration laws.

Investigators discovered that Sangabriel-Mendoza also allegedly filled out I-9 forms at two Minnesota companies where he was employed using the information of Samuel Rivera-Melendez. On both forms, Sangabriel-Mendoza allegedly marked that he was a U.S. citizen.

During the search warrant executed on Feb. 22 at the residence he shared with Franco del Cid, authorities recovered Rivera-Melendez's Puerto Rican birth certificate, along with an I-766 employment card, a Social Security card, a Minnesota driver's license, a Mexican passport, a Mexican birth certificate and a U.S. visa in Sangabriel-Mendoza's name. Agents also recovered bills, pay stubs, job applications, and other documents in the names of both Sangabriel-Mendoza and Rivera-Melendez.

If convicted, both defendants face potential maximum penalties of five years in prison on each false representation count and two years on each identity theft count. All sentences are determined by a federal district court judge.

This case is the result of an investigation by ICE, the Minnesota State Patrol, the Minnesota Bureau of Criminal Apprehension, the Minnesota Police Department and the Lyon County attorney's and sheriff's offices. The case is being prosecuted by Assistant U.S. Attorney Kimberly Svendsen.

"ICE aggressively investigates those who commit identity theft to circumvent our nation's immigration laws," said Claude Arnold, special agent-in-charge of ICE's Office of Investigations in St. Paul. "Identity theft is a growing problem that directly threatens national security and undermines the integrity of our national immigration system. Today's charges reflect ICE's commitment to investigating those who assume other people's identities to skirt the law."

The defendants, of course, are presumed innocent until he or she pleads guilty or is proven guilty at trial.